IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2585 OF 2007
IN
SUIT NO.3158 OF 2006

Algoa Beach Resorts Pvt.Ltd. ..Plaintiff.

V/s.

Quantum Designs. ..Defendant.

Mr.Bipin Shukla i/b. M/s.SRS Legal for plaintiff.

Mr.Birendra Saraf with Mr.Yogesh Adhia for defendant.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 19, 2007.

P.C. :

1. As preliminary objection regarding maintainability of Motion is raised, counsel for the plaintiff having realised the difficulty prays that the plaintiff be permitted to withdraw this Motion with liberty to take out fresh proceeding seeking appropriate relief, as may be permissible by law. Accordingly, this Motion is allowed to be withdrawn with liberty as prayed.

2. It is made clear that withdrawal of Motion is not an expression of opinion on the merits of the stand taken in the Motion.

(A.M.KHANWILKAR,J)